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KINDER MORGAN
LIQUIDS TERMINALS LLC

Ms. Kristine Koch
Remedial Project Manager
United States Environmental Protection Agency, Region 10
Office of Environmental Cleanup, Mail Code ECL-115
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

Re: First Request for Information; Portland Harbor Superfund Site, Portland, Oregon – Response of Kinder Morgan Liquids Terminals LLC and Kinder Morgan Energy Partners, LP for Linnton Terminal

Dear Ms. Koch:

This letter and accompanying documents concerning the Linnton Terminal ("Response") are sent on behalf of Kinder Morgan Liquids Terminals LLC and Kinder Morgan Energy Partners, LP (solely for purposes of this Response, "KMLT") in response to the January 18, 2008 information request ("Information Request").

The information contained in this Response sets forth KMLT's current understanding of the items referenced. Due to the breadth of the Information Request, the time periods at issue, the fact that many of the subjects referenced in the Information Request may not be answered by persons with first – hand knowledge or responsive documents, it is possible that additional facts and documents not currently known to KMLT may provide additional or different information. This Response is KMLT's good faith effort to respond to the Information Request.

INFORMATION REQUEST QUESTIONS

Section 1.0 Respondent Information

1. Provide the full legal, registered name and mailing address of Respondent

Kinder Morgan Liquids Terminals LLC (KMLT)
One Allen Center
500 Dallas St, Ste 1000
Houston TX 77002

2. For each person answering these questions on behalf of Respondent, provide:
   a. full name;
   b. title;
   c. business address; and
   d. business telephone number, electronic mail address, and FAX machine number.

d. business telephone number, electronic mail address, and FAX machine number.

Nancy Van Burgel
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3. If Respondent wishes to designate an individual for all future correspondence concerning this Site, please indicate here by providing that individual's name, address, telephone number, fax number, and, if available, electronic mail address.

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Section 2.0 Owner/Operator Information

4. Identify each and every Property that Respondent currently owns, leases, operates on, or otherwise is affiliated or historically has owned, leased, operated on, or otherwise been affiliated with within the Investigation Area during the period of investigation (1937 -Present). Please note that this question includes any aquatic lands owned or leased by Respondent.

Linnton Terminal, KMLT owns property. The previous owner of the facility was GATX Terminals Corp. See also KMLT's response for the Willbridge Terminal.

5. Provide a brief summary of Respondent's relationship to each Property listed in response to Question 4 above, including the address, Multnomah County Alternative Tax lot Identification numbers), dates of acquisition, period of ownership, lease, operation, or affiliation, and a brief overview of Respondent's activities at the Properties identified.

KMLT acquired the property on February 28, 2001, and has owned Linnton Terminal from that date to the present. Operations include the storage and distribution of petroleum products.

6. Identify any persons who concurrently with you exercises or exercised actual control or who held significant authority to control activities at each Property, including:

   a. partners or joint venturers;

   b. any contractor, subcontractor, or licensor that exercised control over any materials handling, storage, or disposal activity on the Property; (service contractors, remediation contractors, management and operator contractors, licensor providing technical support to licensed activities);

   c. any person subleasing land, equipment or space on the Property,

   d. utilities, pipelines, railroads and any other person with activities and/or easements regarding the Property;

   e. major financiers and lenders;

   f. any person who exercised actual control over any activities or operations on the Property;

   g. any person who held significant authority to control any activities or operations on the Property;

   h. any person who had a significant presence or who conducted significant activities at the Property; and

   i. any government entities that had proprietary (as opposed to regulatory) interest or involvement with regard to the activity on the Property.

To the best of KMLT's current knowledge, since February 28, 2001, no other person exercises or exercised actual control or held significant authority of the property.

7. Identify and describe any legal or equitable interest that you now have, or previously had in each Property. Include information regarding the nature of such interest; when, how, and from whom such interest was obtained; and when, how, and to whom such interest was conveyed, if applicable. In addition, submit copies of all instruments evidencing the acquisition or conveyance of such interest (e.g., deeds, leases, purchase and sale agreements, partnership agreements, etc.).

In 2001, Kinder Morgan Energy Partners LP acquired the stock and assets of GATX Terminals Corp. At closing, the name of GATX Terminals Corp. was changed to Kinder Morgan Liquids Terminals LLC. KMLT is the entity that owns the Linnton facility. A copy of the purchase agreement is attached.

8. If you are the current owner and/or current operator, did you acquire or operate the Property or any portion of the Property after the disposal or placement of hazardous substances, waste, or materials on, or at .the Property? Describe all of the facts on which you base the answer to this question.

Yes. Due diligence performed prior to the acquisition indicated that releases had occurred at the property. A summary of known releases that were pending at the time of acquisition is attached.

Additionally, a summary of releases, which were documented in DEQ records, was included in the Draft Remedial Investigation, dated October 2002. Further database searches performed for this information request identified additional releases that were not mentioned in the RI. A summary of documented releases is provided in the response to Question 10.

9. At the time you acquired or operated the Property, did you know or have reason to know that any hazardous substance, waste, or material was disposed of on, or at the Property? Describe all investigations of the Property you undertook prior to acquiring the Property and all of the facts on which you base the answer to this question.

Yes. Refer to response to Question 8.

10. Identify all prior owners that you are aware of for each Property identified in Response to Question 4 above. For each prior owner, further identify if known, and provide copies of any documents you may have regarding:

a. the dates of ownership;

According to the December 1999 Phase 1 Environmental Assessment Report, the site apparently may have been opened by either Grace Steamship Lines or Associated Oil Co. in approximately 1903. Associated Oil Co. apparently operated the site until 1937 when it merged with Tidewater Oil, which apparently operated the terminal until 1955. Phillips Petroleum apparently purchased the site in 1955 and sold it to GATX Terminals Corp. in 1976. GATX operated the facility until it was purchased by Kinder Morgan in 2001. A copy of the Phase 1 Environmental Assessment Report is provided as an attachment to Question 15.

b. all evidence showing that they controlled access to the Property; and

A fence surrounds the Property, and KMLT has controlled access to the property since it was acquired in February 2001. KMLT has no information at this time on whether previous owners controlled access to the Property.

c. all evidence that a hazardous substance, pollutant, or contaminant, was released or threatened to be released at the Property during the period that they owned the Property.

Due diligence performed prior to the acquisition indicated that releases had

occurred at the property. Additionally, a summary of releases, which were documented in DEQ records, was included in the Draft Remedial Investigation (RI), dated October 2002 and prepared by KHM Environmental Management. Further agency and KMLT database searches performed for this Response identified additional releases not mentioned in the Draft RI Report. A summary of documented releases and the results of database searches performed for this information request are attached. A copy of the Draft RI is included as an attachment to Question 15.

11. Identify all prior operators of the Property, including lessors, you are aware of for each Property identified in response to Question 4 above. For each such operator, further identify if known, and provide copies of any documents you may have regarding:

    a. the dates of operation;

    b. the nature of prior operations at the Property,

    c. all evidence that they controlled access to the Property, and

    d. all evidence that a hazardous substance, pollutant, or contaminant was released or threatened to be released at or from the Property during the period that they were operating the Property.

    Refer to responses for Questions 4 and 10.

12. If not included in response to any of the previous questions, please describe the purpose and duration of each aquatic lands lease Respondent or the operator of Respondent's Property(ies) ever obtained from the State of Oregon and provide a copy of each application for and aquatic lands lease obtained.

Waterway Lease ML-7445 was obtained from the State of Oregon for the sole purpose of a spill response boat and boat house. The term of the lease is from March 1, 1997 through February 28, 2017. Additionally, a Notice of New Revised Waterway Lease Rules and Rates was issued by the State of Oregon. Copies of the lease and revised lease rules and rates are attached.

Section 3.0 Description of Each Property

13. Provide the following information about each Property identified in response to Question 4:

    a. property boundaries, including a written legal description;

    The legal description of the Property is attached.

    b. location of underground utilities (telephone, electrical, sewer, water main, etc.);

    Attached are drawings on file showing the location of underground utilities.

    c. location of all underground pipelines whether or not owned, controlled or

operated by you;

Since the opening of the facility in 1903 there have been numerous phases of underground piping installation and decommissioning. Attached are historical underground piping diagrams. Documentation of the current locations of decommissioned underground piping is not available.

d. surface structures (e.g., buildings, tanks, pipelines, etc.);

The facility consists of 34 above-ground petroleum storage tanks and associated piping and equipment. The tanks are connected via piping to the Olympic Pipeline, truck and rail car loading racks, and a marine dock for transfer to and from barges. Buildings consist of four warehouses (designated "A" through "D"), the boiler and pump house, an electrical house, a maintenance shop, and an office that is connected to warehouse "A". Currently, only the office, maintenance shop, and warehouse "C" are used regularly; the remaining buildings are rarely used. Attached are drawings on file showing surface structures.

e. over-water structures (e.g., piers, docks, cranes, etc.);

The facility includes one marine dock, and its associated piping and hoses, for loading and unloading ships and barges. Tug fueling has also occurred at the Linnton Terminal. Over-water structures are shown on the attached drawings.

f. dry wells;

There is no documentation of any dry wells on the Property.

g. treatment or control devices (e.g., surface water, air, groundwater, Resource Conservation and Recovery Act (RCRA), Transfer, Storage, or Disposal (TSD),etc.);

Five groundwater recovery wells, which extract groundwater for treatment, are currently in operation as part of an interim remedial action. Recovered water is treated with phase separation and carbon filtration before discharge to the Willamette River under NPDES Permit 1500A. Additionally, an inactive soil vapor recovery unit (VRU) is located on site. The VRU has been inactive since the Terminal discontinued truck loading in the late 1990s. The VRU was permitted under the Oregon DEQ Air Operating Permit 26-2028.

Stormwater is treated by oil/water separation before being batched in an above-ground storage tank and discharged to the Willamette River in accordance with NPDES Permit 1200Z. The stormwater drainage system is described in Part (i) of this question.

h. groundwater wells, including drilling logs;

There are 28 groundwater monitoring wells, 6 groundwater piezometers, and 5 groundwater recovery wells located at the Property. The locations of these wells

are shown the attached figures. Available boring logs for these wells are attached. Also attached are boring logs for various hydraulic direct push soil borings and hand auger borings that were completed during previous investigations.

i. storm water drainage system, and sanitary sewer system, past and present, including septic tank(s) and where, when and how such systems are emptied and maintained;

Storm water from the facility flows to multiple catch basins. The stormwater collects at a central location where it is routed through an oil/water separator before being pumped to an above-ground storage tank (AST). The stormwater in the AST is sampled and submitted for chemical analysis, and, if below discharge criteria, is then released to the Willamette River in accordance with NPDES Permit 1200Z. A drawing showing storm water drainage at the Property is attached.

The site is not served by the municipal sanitary sewer. A septic tank and leach field is located at the north-central portion of the site and serves the office building. A second septic tank and leach field serve the bathroom attached to the boiler house in the central portion of the site. The septic tanks are serviced as needed by a licensed septic service.

j. subsurface disposal field(s), Underground Injection Control (UIC) wells, and other underground structures (e.g., underground storage tanks (USTs); and where they are located, if they are still used, and how they were closed;

There are multiple installations of subsurface piping on the site. Piping diagrams are provided in response to Question 13 (l) below. There is one subsurface storm water retention tank between Warehouse "A" and the Shop (see attached Figure).

One heating oil UST, located at the southwestern end of the Terminal office building, was decommissioned in 2001. The Oregon Department of Environmental Quality reports the status of this tank as closed (see attached DEQ LUST information). A November 20, 2001 report, which documents the decommissioning activities, is included as attachment to the response to Question 15.

k. any and all major additions, demolitions or changes on, under or about the Property, its physical structures or to the property itself (e.g., stormwater drainage, excavation work); and any planned additions, demolitions or other changes to the Property,

The facility apparently has had a similar configuration since the 1950s, when the 'lower' or southeastern tank yard and present office/warehouse were constructed. Demolitions include removal of the former employee housing, the original office building and the truncation of the garage/truck shop. There are no significant additions or alterations planned at this time.

1. all maps and drawings of the Property in your possession; and

All available maps and drawings in KMLT's possession and pertaining to Question 13 are attached.

m. all aerial photographs of the Property in your possession.

Responsive aerial photographs in KMLT's possession are attached.

14. For Properties adjacent to the Willamette River, provide specific information describing the river-ward boundary of private ownership and where state aquatic lands and/or state-management jurisdiction begins. Provide a map that delineates the river-ward boundary of each Property.

A description of the river-ward property boundary is included in Waterway Lease ML-7445, which is included as an attachment to Question 12. Maps of the river-ward Property boundary and aquatic lands are provided as an attachment.

15. For each Property, provide all reports, information or data you have related to soil, water (ground and surface), or air quality and geology/hydrogeology at and about each Property. Provide copies of all documents containing such data and information, including both past and current aerial photographs as well as documents containing analysis or interpretation of such data.

Copies of responsive reports, information or data in our possession are attached. A catalog summary of documents is provided. Please note that, in the interest of reducing the amount of paper to be used, reports have been included without laboratory data attachments; please let us know if you would like to review the data attachments. Aerial photographs are included as an attachment to Question 13 (m).

16. Identify all past and present solid waste management units or areas where materials are or were in the past managed, treated, or disposed (e.g., waste piles, landfills, surface impoundments, waste lagoons, waste ponds or pits, tanks, container storage areas, etc.) on each Property. For each such unit or area, provide the following information:

a. a map showing the unit/area's boundaries and the location of all known units/areas whether currently in operation or not. This map should be drawn to scale, if possible, and clearly indicate the location and size of all past and present units/areas;

b. dated aerial photograph of the site showing each unit/area;

c. the type of unit/area (e.g., storage area, landfill, waste pile, etc.), and the dimensions of the unit/area;

d. the dates that the unit/area was in use;

e. the purpose and past usage (e.g., storage, spill containment, etc.);

f. the quantity and types of materials (hazardous substances and any other chemicals) located in each unit/area; and

g. the construction (materials, composition), volume, size, dates of cleaning, and condition of each unit/area.

We understand this question to ask about RCRA solid waste units. KMLT does not have

any such units.

17. If the unit/area described above is no longer in use, how was such unit/area closed and what actions were taken to prevent or address potential or actual releases of waste constituents from the unit/area.

Not applicable.

18. For each Property, provide the following information regarding any current or former sewer or storm sewer lines or combined sanitary/storm sewer lines, drains, ditches, or tributaries discharging into the Willamette River:

a. the location and nature of each sewer line, drain, ditch, or tributary;

Maps pertaining to the location of stormwater conveyance lines are attached and are also included as an attachment in response to Question 13 (i). KMLT has thus far been unable to locate drawings pertaining to the septic system. There is no sanitary sewer service to the property. Storm water is discharged via an outfall to the Willamette River under NPDES Permit 1200Z.

b. the date of construction of each sewer line, drain, ditch, or tributary,

The age of the current storm water conveyance lines and on the Property is currently unknown.

c. whether each sewer line, or drain was ever connected to a main trunk line;

The property was never connected to either the City sanitary or storm water sewer main trunk lines.

d. whether each sewer line, drain, ditch, .or tributary drained any hazardous substance, waste, material or other process residue to the Willamette River; and

Currently, storm water from the facility collects at a central location where it is routed through an oil/water separator before being pumped to an above-ground storage tank (AST). The stormwater in the AST is sampled for and submitted for chemical analysis, and, if below discharge criteria, is then released to the Willamette River. KMLT provides management for stormwater. Historical practices of stormwater management are currently unknown.

Sanitary wastewater is currently processed through the existing septic system described in Question 13(i). The septic tanks are serviced as needed by a licensed septic service.

e. provide any documentation regarding but not limited to the following on any and all outfalls to the Willamette River which are located within the boundaries of the Property(ies). Your response should include, but not be limited to:

i. the areas serviced by the outfalls; and

ii. the type of outfall (i.e., storm water or single facility operational).

Currently, two outfalls from the Property discharge to the

Willamette River. One outfall discharge is permitted under NPDES Permit 1200Z and is comprised of stormwater only. A description of the stormwater system is included in the response to Question 13(i). The stormwater is discharged in batches, and each batch is sampled and analyzed for parameters included in permit prior to discharge. A second outfall discharge is permitted under NPDES Permit 1500A and is comprised of treated groundwater from the Interim Remedial Action Measure (IRAM) groundwater recovery and treatment system described in Question 66.

19. Provide copies of any stormwater or property drainage studies, including data from sampling, conducted at these Properties on stormwater, sheet flow, or surface water runoff. Also provide copies of any Stormwater Pollution Prevention, Maintenance Plans, or Spill Plans developed for different operations during the Respondent's operation of each Property.

Two stormwater evaluations have been conducted for the property: (1) Upland Storm water Source Control Status dated January 23, 2008; and (2) Storm Water Pathway Evaluation Work Plan dated October 4, 2006, and are attached.

Storm Water Pollution Control Plan dated February 7, 2008 and Spill Prevention Control and Countermeasure Plan dated October 14, 2003 also are attached.

Section 4.0 Respondent's Operational Activities

20. Describe the nature of your operations or business activities at each Property. If the operation or business activity changed over time, please identify each separate operation or activity, the dates when each operation or activity was started and, if applicable, ceased.

The Linnton Terminal is a terminal for hire. At this facility, KMLT provides bulk storage and distribution of petroleum products via marine, tank truck, pipeline, and tank car for third parties from February 2001, when it began operations at the facility, to present.

21. At each Property, did you ever use, purchase, generate, store, treat, dispose, or otherwise handle any waste, or material? If the answer to the preceding question is anything but an unqualified "no," identify:

a. in general terms, the nature and quantity of the waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;

b. the chemical composition, characteristics, physical state (e.g., solid, liquid) of each waste or material so transported, used, purchased, generated, stored, treated, disposed, or otherwise handled;

c. how each such waste or material was used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you; and

d. the quantity of each such waste or material used, purchased, generated, stored, treated, transported, disposed or otherwise handled by you,

KMLT stores and warehouses refined petroleum products for third parties in aboveground storage tanks, ranging in size from 300 barrels (bbl) to 59,000 bbl above-ground storage tanks. The total storage capacity of the facility is 484,000 bbl. Services include vessel loading, unloading, pipeline receipt and shipment, tank car loading and

unloading, and tank truck loading and unloading. Linnton Terminal is a terminal for hire, and KMLT does not own the product that it stores.

22. Describe all activities at each Property that was conducted over, on, or adjacent to, the Willamette River. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located in the Willamette River.

KMLT performs marine loading and unloading of barges and ships. In the past, tugboats apparently were also fueled at the dock. Please see the response to Question 10(c) for a further response to this question.

23. For each Property at which there was or is a mooring facility, dock, wharf or any over-water structure, provide a summary of over-water activities conducted at the structure, including but not limited to, any material loading and unloading operations associated with vessels, materials handling and storage practices, ship berthing and anchoring, ship fueling, and ship building, retrofitting, maintenance, and repair.

Linnton Terminal has two barge docks, and one ship dock where KMLT performs marine loading and unloading of refined petroleum products into marine vessels.

24. Describe all activities conducted on leased aquatic lands at each Property. Include in your description whether the activity involved hazardous substances, waste(s), or materials and whether any such hazardous substances, waste(s), or materials were discharged, spilled, disposed of, dropped, or otherwise came to be located on such leased-aquatic lands.

KMLT performs marine loading and unloading of barges and ships. In the past, tugboats apparently were also fueled at the dock.

25. Please describe the years of use, purpose, quantity, and duration of any application of pesticides or herbicides on each Property during the period of investigation (1937 -present). Provide the brand name of all pesticides or herbicides used.

Herbicide has been applied on an annual basis along the Property fence lines and within the gravel yards and secondary containment areas. KMLT contracts this service to Victory Weed. The contractor has indicated that it is applying Spike ® herbicide produced by Dow Chemical. The only pesticides currently used are consumer products manufactured for managing hornets. These are used on an as needed basis during the summer months. KMLT has not located any historical documentation of pesticide or herbicide use at the facility.

26. Describe how wastes transported off the Property for disposal are and ever were handled, stored, and/or treated prior to transport to the disposal facility.

Potentially petroleum-impacted solid waste materials are either containerized in drums or drop-off boxes or stockpiled on a polyethylene liner and covered with polyethylene sheeting at the Property prior to completing waste-profiling to evaluate disposal options.

All petroleum-impacted solid waste is analytically tested, profiled, permitted and transported by licensed haulers to a landfill approved to accept petroleum-impacted material (typically the Waste Management facility in Hillsboro, Oregon). Other solid and liquid wastes are managed consistent with the attached Waste Disposal Procedures.

27. Has Respondent ever arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials to any Property (including the Willamette River) within the Investigation Area? If so, please identify every Property that Respondent's materials were disposed or treated at in the Investigation Area. In addition, identify:

    a. the persons with whom the Respondent made such arrangements;

    b. every date on which Respondent made such arrangements;

    c. the nature, including the chemical content, characteristics, physical state (e.g., solid, liquid), and quantity (volume and weight) of all materials involved in each such arrangement;

    d. in general terms, the nature and quantity of the non- hazardous materials involved in each such arrangement;

    e. in general terms, the nature and quantity of any hazardous materials involved in each such arrangement;

    f. the owner of the materials involved in each such arrangement, if not Respondent;

    g. all tests, analyses, analytical results or manifests concerning each hazardous material involved in such transactions;

    h. the address(es) for each Property, precise locations at which each material involved in such transactions actually was disposed or treated;

    i. the owner or operator of each facility at which hazardous or non-hazardous materials were arranged to be disposed at within the Investigation Area;

    j. who selected the location to which the materials were to be disposed or treated;

    k. who selected the Property as the location at which hazardous materials were to be disposed or treated; and

    1. any records of such arrangements) and each shipment.

To the best of KMLT's current knowledge, no.

28. Describe the plants and other buildings or structures where Respondent carried out its operations at each Property within the Investigation Area (excluding locations where ONLY clerical/office work was performed).

Please refer to response and attachments to Question 13 (d).

29. Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations on each Property.

Refined petroleum product is pumped to and from the Property via pipelines. The

terminal loads or unloads product from barges and tanker ships, tank cars, and tank trucks. Attached is a schematic illustrating the operations on the facility.

30. Provide a brief description of the nature of Respondent's operations at each location on each Property including:

    a. the date such operations commenced and concluded; and

    b. the types of work performed at each location, including but not limited to the industrial, chemical, or institutional processes undertaken at each location.

KMLT began operations at the facility on February 28, 2001. KMLT stores and warehouses refined petroleum products for third parties in aboveground storage tanks (ASTs), ranging in size from 300 bbl to 59,000 bbl. The total storage capacity of the facility is 484,000 bbl. Services include vessel loading, unloading, pipeline receipt and shipment, tank car loading and unloading, and tank truck loading and unloading. Linnton Terminal is a terminal for hire, and KMLT does not own the product that it stores.

31. If the nature or size of Respondent's operations changed over time, describe those changes and the dates they occurred.

The primary mode of distribution of refined petroleum inbound to the terminal is from marine transfer, and on average, the product tank capacity is 260,000 bbl. The throughput has decreased since KMLT began operations of the facility in 2001.

32. List the types of raw materials used in Respondent's operations, the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.

As KMLT understands this question, raw materials are not used on the site. KMLT only stores refined petroleum products at the facility.

33. Provide copies of Material Safety Data Sheets (MSDS) for materials used in the Respondent's operations.

Attached are the MDSDs currently on file at the facility.

34. Describe the cleaning and maintenance of the equipment and machinery involved in these operations, including but not limited to:

    a. the types of materials used to clean/maintain this equipment/machinery; b. the monthly or annual quantity of each such material used;

    c. the types of materials spilled in Respondent's operations;

    d. the materials used to clean up those spills;

    e. the methods used to clean up those spills; and

    f. where the materials used to clean up those spills were disposed of.

ASTs are cleaned during three types of operations: changeouts, maintenance, and inspections. Currently, high pressure water and vacuums are used in the cleaning process. Rinseate water is collected, characterized for waste profiling, and disposed of in

accordance with RCRA requirements. Possible material spills during this operation include rinseate water only. Rinseate-affected soils are excavated, profiled, and disposed in accordance with applicable regulatory requirements. No materials other than those described above are used to clean up the spills.

35. Describe the methods used to clean up spills of liquid or solid materials during Respondent's operation.

Incident command system is utilized for managing the response to any releases and the methodology utilized is determined based upon the nature of the release. Methods used to clean up spills of liquid or solid are included in Storm Water Pollution Control Plan dated February 7, 2008 and Spill Prevention Control and Countermeasure Plan dated October 14, 2003. Copies of these plans are included in the response to Question 19.

36. For each type of waste (including by-products) from Respondent's operations, including but not limited to all liquids, sludges, and solids, provide the following information:

    a. its physical state;

    b. its nature and chemical composition;

    c. its color;

    d. its odor;

    e. the approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, pounds, etc.); and

    f. the dates (beginning & ending) during which each type of waste was produced by Respondent's operations.

According to the Draft Remedial Investigation (RI) dated October 2002 and KMLT records, site operation wastes have included:

- In-line filters: Filter units apparently were used by previous owners in the early 1980s but were discontinued due to rapid clogging. Wire mesh strainers are currently used in product transfer lines. The volume of collected debris is low, and the need to service the strainers is rare. Waste is disposed of offsite by incineration along with other maintenance-derived waste in accordance with applicable regulatory requirements.
- Tank wastewater and bottom sludges are generated on an infrequent basis during tank cleaning activities. Wastewater from tank cleaning, containing 1 to 5 percent petroleum hydrocarbons and 1 to 4 percent sludge, is transported off-site for recycling. Tank bottoms and bottom water are hauled by a tank cleaning contractor to Oil Re-Refining Company in Portland, Oregon for offsite recycling.
- Storm water runoff. Storm water from the facility collects at a central location where it is routed through an oil/water separator before being pumped to an above-ground storage tank (AST). The stormwater in the AST is sampled for and submitted for chemical analysis, and, if below discharge criteria, is then released to the Willamette River in approximately 125,000-gallon batches. During the rainy season, as many as four batches

may be collected, treated, and discharged in a month. Historical practices of stormwater management are unknown. A second (12,000 gallon) stormwater retention tank was installed in late 2007 to increase the stormwater holding capacity of the system.

- Treated process water is generated by separation of water from product in the holding tanks. Typically, this water is conveyed with the product to the owner of the product. Prior to the mid-1980s, the process water apparently was treated by previous owners through the oil/water separator. Excess water is drained annually and hauled to Oil Re-Refining Company in Portland, Oregon for recycling. Approximately 10,000 gallons of bottom water are generated annually and hauled to Oil Re-Refining Company in Portland, Oregon for offsite recycling.
- Maintenance derived waste typically consist of equipment, oily sorbents, and booms. The waste is typically collected in small batches of one to two drums per quarter and was historically disposed of by offsite incineration on an approximately quarterly basis. Presently, the maintenance derived waste is collected and transported for offsite disposal on a quarterly basis.
- Mixed product (commonly referred to as "slop product" in the industry) is generated on an infrequent basis during piping drain downs and maintenance activities or when fuel products become commingled. The fuel is transported to the KMLT Willbridge facility for offsite recycling or to Oil Re-Refining Company in Portland, Oregon for offsite recycling.
- Waste paint chips are generated on an infrequent basis during painting and construction activities and handled as described in the response to Question 15.

Site remediation wastes include:

- Spent carbon from liquid-phase filters. Spent carbon contains petroleum hydrocarbons, is black in color, and has a faint hydrocarbon odor. Approximately 12,000 pounds of spent carbon is generated on an annual basis.
- Used containment booms, used sorbent pads, personal protective equipment (PPE) and plastic sheeting. These wastes contain petroleum hydrocarbons and have varying degrees of brown staining. Approximately 250 pounds of this waste is disposed offsite on an annual basis.
- Phase-separated petroleum and oil-emulsified water recovered by the remediation system and other liquids generated during environmental tasks (e.g. groundwater sampling, hand-bailing for phase-separated petroleum recovery from groundwater, spill recovery). The recovered product has an odor of weathered diesel and fuel oil and is dark brown in color. Currently, approximately 1500 gallons of oil and water are recycled offsite on an annual basis.
- Hydrocarbon-affected soil generated during spill response activities. The soil typically smells slightly to strongly of petroleum hydrocarbons and would be stained gray or brown in color. This waste is produced infrequently during the cleanup of spills only. A summary of soil waste generated during spill response and construction activities is provided in the response to Question 64.
- Treated groundwater from the groundwater treatment and hydraulic control

system treats approximately 11,000 gallons of water per day by oil/water separation and filtration through granular activated carbon filters. The groundwater treatment system was installed in 2004 and will continue to operate for the foreseeable future. The treated water is discharged to the Willamette River in accordance with KMLT's NPDES permit. Treated groundwater has little or no odor and is clear in color.

This facility is a conditionally exempt small quantity generator. A copy of the RCRA Annual Hazardous Waste Report is attached.

37. Provide a schematic diagram that indicates which part of Respondent's operations generated each type of waste, including but not limited to wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.

Attached is a schematic illustrating wastes generated during operations at the facility.

38. Identify all individuals who currently have and those who have had responsibility for Respondent's environmental matters (e.g. responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes). Also provide each individual's job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.

Robert Granado
Current Job Title: Director – EHS
Duties: Responsible for managing compliance with safety, air, water, and waste requirements for Pacific region operations.
Employment Dates: October, 1983 – March 1989, SFPP; L.P., March 1989 – Present, Kinder Morgan Energy Partners, L.P.
Current Supervisor: Mark Sandon, Director - EHS
Nature of Information Possessed Regarding Waste Management: Duties have included responsibility for waste management of SFPP and KMLT sites

Robert Truedinger
Current Job Title: Senior Specialist – EHS
Duties: Responsible for managing remediation activities for the Linnton, Willbridge, and Portland Station facilities, including remediation derived waste.
Employment Dates: March 2006 - Present
Current Supervisor: Kevin Ryan, Manager - EHS
Nature of Information Possessed Regarding Waste Management: Knowledge of remediation derived waste during his employment dates

Steve Osborn
Current Job Title: Lead Specialist – EHS
Duties: Responsible for managing remediation activities for the Linnton, Willbridge, and Portland Station facilities, including remediation derived waste from October 2002 – April 2006.
Employment Dates: February 2002 - Present

Current Supervisor: Kevin Ryan, Manager - EHS
Nature of Information Possessed Regarding Waste Management: Knowledge of remediation derived waste from October 2002 – April 2006.

Eric Conard
Former Job Title: Manager – EHS
Duties: Responsible for managing Pacific region remediation activities from September 2002 – August 2005.
Employment Dates: GATX, February 1994 – March 2001; Kinder Morgan Energy Partners, L.P. March 2001 - March 2007.
Current Supervisor: Not applicable, no longer employed by Respondent.
Nature of Information Possessed Regarding Waste Management: Knowledge of remediation derived waste during his employment period.

39. For each type of waste describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling.

Following is a description of disposal management practices for operations wastes:

- Tank wastewater and bottom sludges. Wastewater from tank and oil/water separator cleaning, containing 1 to 5 percent petroleum hydrocarbons and 1 to 4 percent sludge, is transported to DeMenno/Kerdoon, in Compton, California for offsite recycling.
- Storm water runoff. Storm water from the facility collects at a central location where it is routed through an oil/water separator before being pumped to an above-ground storage tank (AST). The stormwater in the AST is sampled for and submitted for chemical analysis, and, if below discharge criteria, is then released to the Willamette River in accordance with NPDES Permit 1200Z in approximately 125,000-gallon batches. During the rainy season, as many as four batches may be collected, treated, and discharged in a month.
- Waste oil is generated on an infrequent basis, and is transported to the KMLT Willbridge Terminal for transport by Filter Recyling for disposal at its facility in Rialto, California or for recycling at Oil Re Refining in Portland, Oregon.
- Asbestos waste is transported by Filter Recyling and disposed at Romic or Onyx Environmental.
- Waste paint chips are transported by Filter Recycling and disposed at Onyx Environmental.

A copy of the RCRA Annual Hazardous Waste Report is attached. Waste Disposal Procedures for each waste stream is included in the response to Question 26.

Following is a description of disposal management practices for remediation wastes:

- Spent carbon is managed by Siemens Water Technologies of Vancouver Washington. Siemens hauls spent carbon to its Red Bluff, California facility for regeneration or to the Hillsboro landfill for disposal after completing chemical analysis and profiling. The destination of the spent carbon is determined through chemical analysis and profiling, and depends on the degree of fouling in the carbon.
- Phase-separated petroleum and oil-emulsified water recovered by the

remediation system and other liquids generated during environmental tasks (e.g. groundwater sampling, hand-bailing for phase-separated petroleum recovery from groundwater, spill recovery) are managed for recycling by Oil Re-refining, Inc. of Portland Oregon. Oil Re-refining Company (ORRCO) is a permitted petroleum recycling facility that recycles oil/water/solids mixtures.

- Used containment booms, used sorbent pads, personal protective equipment (PPE) and plastic sheeting are transported in drums by Filter Recycling Services Inc. and are disposed at its facility in of Rialto, California.
- Hydrocarbon-affected soil generated during spill response activities is produced infrequently during the cleanup of spills only. Management of soil waste generated during spill response activities is provided in the response to Question 64.

40. Provide copies of such contracts and other documents reflecting such agreements or arrangements, including, but not limited to the following:

a. state where Respondent sent each type of its waste for disposal, treatment, or recycling;

b. identify all entities and individuals who picked up waste from Respondent or who otherwise transported the waste away from Respondent's operations (these companies and individuals shall be called "Waste Carriers" for purposes of this Information Request);

c. if Respondent transported any of its wastes away from its operations, please so indicate;

d. for each type of waste specify which Waste Carrier picked it up;

e. indicate the ultimate disposal/recycling/treatment location for each type of waste;

f. provide all documents indicating the ultimate disposal/recycling/treatment location for each type of waste; and

g. state the basis for and provide any documents supporting the answer to the previous question.

Refer to the response to Question 39 for descriptions of each waste, its disposal destination, and its waste carrier. Attached are copies of KMEP contracts with its waste carriers, and recycling and disposal companies.

41. Describe all wastes disposed by Respondent into Respondent's drains including but not limited to:

a. the nature arid chemical composition of each type of waste;

b. the dates on which those wastes were disposed;

c. the approximate quantity of those wastes disposed by month and year;

d. the location to which these wastes drained (e.g. septic system or storage tank at the Property, pre- treatment plant, Publicly Owned Treatment Works (POTW), etc.); and

e. whether and what pretreatment was provided.

Not applicable.

42. Identify any sewage authority or treatment works to which Respondent's waste was sent.

Sanitary wastewater generated at the site is routed to one of two septic tanks and is discharged to its respective leach field. The facility is not serviced by a local sewage authority or treatment works.

43. Describe all settling tank, septic system, or pretreatment system sludges or other treatment wastes resulting from Respondent's operations.

Septic tank sludges are managed as needed by a licensed septic service.

44. If applicable, describe the facilities, processes and methods Respondent or Respondent's contractor used, and activities engaged in, either currently or in the past, related to ship building, retrofitting, maintenance or repair, including, but not limited to, dry-docking operations, tank cleaning, painting and re-powering.

Not Applicable

45. Describe any hazardous substances, wastes, or materials used or generated by the activities described in response to the previous Question and how these hazardous substances, materials and wastes were released or disposed of.

Not Applicable

46. Provide copies of any records you have in your possession, custody or control relative to the activities described in response to the previous two Questions.

Not Applicable

47. Describe any process or activity conducted on a Property identified in response to Question 4 involving the acquisition, manufacture, use, storage, handling, disposal or release or threatened release of polychlorinated biphenyl(s) ("PCB(s)" or PCB(s)-containing materials or liquids.

Not Applicable

48. For each process or activity identified in response to the previous Question, describe the dates and duration of the activity or process and the quantity and type of PCB(s) or PCB(s) containing materials or liquids.

Not Applicable

49. For each process or activity identified in response to the previous two Questions, identify the location of the process or activity on the property.

Not Applicable

Section 5.0 Regulatory Information

50. Identify all federal, state and local authorities that regulated the owner or operator of each Property and/or that interacted with the owner or operator of each Property. Your response is to address all interactions and in particular all contacts from agencies/departments that dealt with health and safety issues and/or environmental concerns.

KMLT interacts with the following federal, state, and local authorities for the indicated health and safety issues and/or environmental concerns:

- Oregon Department of Environmental Quality (DEQ) for environmental issues
- United States and Oregon Occupational Safety and Health Administration (OSHA) for health and safety issues
- City of Portland for stormwater issues
- City of Portland Fire Department for fire issues
- United States Coast Guard for marine issues
- United States Environmental Protection Agency (USEPA) for superfund issues

51. Describe all occurrences associated with violations, citations, deficiencies, and/or accidents concerning each Property during the period being investigated related to health and safety issues and/or environmental concerns. Provide copies of all documents associated with each occurrence described.

Following is a summary of databases searched to identify violations, citations, deficiencies, and/or accidents concerning the facility, and the results of each search:

- Federal and State OSHA Database - No violations were found.
- USEPA Enforcement and Compliance History Online (ECHO) Database - No violations were found.
- Oregon DEQ Violations and Notices of non-compliance databases - No violations found.

Additionally, violations and a notice of non-compliance were identified during the due diligence performed prior to Property acquisition. A summary of violations and notices is attached.

52. Provide a list of all local, state and federal environmental permits ever issued to the owner or operator on each Property (e.g., RCRA permits, NPDES permits, etc.). Please provide a copy of each federal and state permit, and the applications for each permit, ever issued to the owner or operator on each Property.

The following permits were issued to KMLT for the Property:

- NPDES Permit 1500A

- NPDES Permit 1200Z
- Oregon DEQ Air Operating Permit 26-2028

Copies of permits and applications are attached.

53. Did the owner or operator ever file a Hazardous Waste Activity Notification under the RCRA? If so, provide a copy of such notification.

No

54. Did the owner or operator's facility on each Property ever have "interim status" under the RCRA? If so, and the facility does not currently have interim status; describe the circumstances under which the facility lost interim status.

No

55. Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

The RCRA Waste Site ID Number issued by Oregon DEQ is ORD000643544.

56. Identify all federal offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

To the best of its knowledge, KMLT has not submitted hazardous substance or hazardous waste information concerning the facility to any federal agency other than the U.S. Environmental Protection Agency.

57. Identify all state offices to which Respondent has sent or filed hazardous substance or hazardous waste information. State the years during which such information was sent/filed.

KMLT has filed hazardous waste information with the Oregon DEQ and with the California Department of Toxic Substances Control since the acquisition of the Property on February 28, 2001.

58. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq., (TSCA); Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections1251 et seq., Oregon Hazardous Substance Remedial Action Law, ORS 465.315, Oregon Water Quality law, ORS Chapter 468(b), Oregon Hazardous Waste and Hazardous Materials law, ORS Chapters 465 and 466, or Oregon Solid Waste law, ORS Chapter 459. Provide copies of each report made, or if only oral reporting was required, identify the federal and state offices to which such report was made.

KMLT understands this Question to ask for a list of reports regularly required by its

permits. The following permits were issued to KMLT for the Property:

- NPDES Permit 1500A was issued under the Clean Water Act. A copy of each quarterly Discharge Monitoring Report is provided as an attachment to Question 15.
- NPDES Permit 1200Z was issued under the Clean Water Act. Copies of compliance reports for this permit since KMLT acquired the facility in February 2001 are attached.
- Air Operating Permit 26-2028 was issued by the Oregon DEQ under the Federal Clean Air Act Copies of compliance reports for this permit since KMLT acquired the facility in February 2001 are attached.
- Waste Water Permit 400.173 was issued under City of Portland Municipal Code 17.34 and 17.36 and 40CFR 403. Copies of compliance reports for this permit since KMLT acquired the facility in February 2001 are attached

KMLT also has had many other oral and written communications with these and other agencies where required or appropriate.

59. Provide a copy of any registrations, notifications, inspections or reports required by the Toxic Substances Control Act, 15 USC § 2601 et seq., or state law, to be maintained or submitted to any government agency, including fire marshal(s), relating to PCB(s) or . PCB(s) containing materials or liquids on any Property identified in response to Question 4.

Not Applicable

60. Has Respondent or Respondent's contractors, lessees, tenants, or agents ever contacted, provided notice to, or made a report to the Oregon Department of State Lands ("DSL") or any other state agency concerning an incident, accident, spill, 'release, or other event involving Respondent's leased state aquatic lands? If so, describe each incident, accident, spill, release, or other event and provide copies of all communications between Respondent or its agents and DSL or the other state agency and all documents that were exchanged between Respondent, its agents and DSL or other state agency.

Not Applicable

61. Describe all notice or reporting requirements to DSL that you had under an aquatic lands lease or state law or regulation regarding incidents affecting, or activities or operations occurring on leased aquatic lands. Include the nature of the matter required to be reported and the office or official to whom the notice or report went to. Provide copies of all such notices or reports.

Not Applicable

Section 6.0 Releases and Remediation

62. Identify all leaks, spills, or releases into the environment of any waste, including petroleum, hazardous substances, pollutants, or contaminants, that have occurred

at or from each Property, which includes any aquatic lands owned or leased by Respondent. In addition, identify, and provide copies of any documents regarding:

a. when such releases occurred;

A summary of documented releases, and evidence of the releases is provided in the response to Question 10.

b. how the releases occurred (e.g. when the substances were being stored, delivered by a vendor, transported or transferred (to or from any tanks, drums, barrels, or recovery units), and treated);

The summary of documented releases provided in the response to Question 10 indicates how the releases occurred, if known.

c. the amount of each hazardous substances, pollutants, or contaminants so released;

The summary of documented releases provided in the response to Question 10 indicates the amount of substances released, if known.

d. where such releases occurred;

The summary of documented releases provided in the response to Question 10 indicates the location of releases, if known.

e. any and all activities undertaken in response to each such release or threatened release, including the notification of any agencies or governmental units about the release;

The summary of documented releases provided in the response to Question 10 indicates activities undertaken in each response to each release, if known.

f. any and all investigations of the circumstances, nature, extent or location of each release or threatened release including, the results of any soil, water (ground and surface), or air testing undertaken;

The summary of documented releases provided in the response to Question 10 indicates the circumstances, nature, extent and location of each release, if known. If available, reports or documentation of the release, including results of testing, are indicated and referenced.

g. all persons with information relating to these releases; and

If reports or documentation are available for a release, persons with information relating to the release are referenced therein.

h. list all local, state, or federal departments or agencies notified of the release, if applicable.

If reports or documentation are available for a release, local, state, or federal departments or agencies notified of the release are referenced therein.

63. Was there ever a spill, leak, release or discharge of waste, including petroleum, or hazardous substances, pollutant or contaminant into any subsurface disposal system or floor drain inside or under a building on the Property? If the answer to the preceding question is anything but an unqualified "no", identify:

    a, where the disposal system or floor drains were located;

    b. when the disposal system or floor drains were installed;

    c. whether the disposal system or floor drains were connected to pipes;

    d. where such pipes were located and emptied;

    e. when such pipes were installed;

    f. how and when such pipes were replaced, or repaired; and

    g. whether such pipes ever leaked or in any way released such waste or hazardous substances into the environment.

To the best of KMLT's current knowledge, there were no documented releases to indoor drains or floor-drains.

64. Has any contaminated soil ever been excavated or removed from the Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding:

    a. amount of soil excavated;

    b. location of excavation presented on a map or aerial photograph;

    c. manner and place of disposal and/or storage of excavated soil;

    d. dates of soil excavation;

    e. identity of persons who excavated or removed the soil, if other than a contractor for Respondent;

    f. reason for soil excavation;

    g. whether the excavation or removed soil contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the soil contained, and why the soil contained such constituents;

    h. all analyses or tests and results of analyses of the soil that was removed from the Property,

    i. all analyses or tests and results of analyses of the excavated area after the soil was removed from the Property, and

    j. all persons, including contractors, with information about (a) through (i) of this request.

Following is a summary of documented soil excavation and removal from the property:

- Approximately 8.28 tons of petroleum-impacted soil was excavated and removed during the decommissioning of a heating oil UST in September 2001. Tank removal and soil excavation was performed by Terra Hydr under the oversight of

HartCrowser. The excavated soil was transported on October 12, 2001 to TPS Technologies in Portland, Oregon for disposal. A summary of the activities, including analytical testing and results, and persons performing the work, is included in a report entitled "Heating Oil Underground Storage Tank Decommissioning, dated November 20, 2001. A copy of the report is included as an attachment to Question 15.

- Approximately 20 cubic yards of petroleum-impacted soil was excavated and removed in July and August 2004 during the construction of the groundwater treatment system. The excavation was performed by Stratus Corporation under the oversight of Kelly Kline and Scott Miller of Delta Consultants. The soil was transported on September 24, 2004 to Waste Management Landfill in Hillsboro, OR for disposal. The soil is believed to have contained petroleum hydrocarbons from site operations. Following excavation, in-situ soils were not sampled for characterization. The soil was removed while grading an area for the installation of the remediation system and recovery well vaults.

65. Have you ever tested the groundwater under your Property? If so, please provide copies of all data, analysis, and reports generated from such testing.

Groundwater was tested on a quarterly basis from 2002 to 2007, at which time semi-annual testing was initiated under the approval of DEQ. A copy of the groundwater monitoring reports is included as an attachment to Question 15.

66. Have you treated, pumped, or taken any kind of response action on groundwater under your Property? Unless the answer to the preceding question is anything besides an unequivocal "no", identify and provide copies of any documents regarding

    a. reason for groundwater action;

    b. whether the groundwater contained hazardous substances, pollutants or contaminants, including petroleum, what constituents the groundwater contained, and why the groundwater contained such constituents;

    c. all analyses or tests, and results of analyses of the groundwater;

    d. if the groundwater action has been completed, describe the basis for ending the groundwater action; and

    e. all persons, including contractors, with information about (a) through (c) of this request.

An Interim Remedial Action Measure (IRAM) groundwater recovery and treatment system was installed in 2003 to control localized seepage of separate-phase hydrocarbons (SPH) through the seawall to the Willamette River. Seepage is controlled through hydraulic containment of localized groundwater from five recovery wells. The recovered groundwater contains phase-separated and dissolved petroleum. Recovered water is treated with phase separation and carbon filtration before discharge to the Willamette River under NPDES Permit 1500A. The treated groundwater has been tested on a regular basis in accordance with the NPDES permit, and results have been reported to the Oregon DEQ via Discharge Monitoring Reports (DMRs). A copy of the DMRs has been included as an attachment to Question 58. The IRAM groundwater action is ongoing. Persons with information about this groundwater action are referenced within

the respective reports.

67. Was there ever a spill, leak, release or discharge of a hazardous substance, waste, or material into the Willamette River from any equipment, structure, or activity occurring on, over, or adjacent to the river? If the answer to the preceding question is anything but an unequivocal "no", identify and provide copies of any documents regarding:

    a. the nature of the hazardous substance, waste, or material spilled, leaked, released or discharged;

    b. the dates of each such occurrence;

    c. the amount and location of such release;

    d. were sheens on the river created by the release;

    e. was there ever a need to remove or dredge any solid waste, bulk product, or other material from the river as a result of the release? If so, please provide information and description of when such removal/dredging occurred, why, and where the removed/dredged materials were disposed.

A summary of documented releases into the Willamette River is included in the response to Question 10.

68. For any releases or threatened releases of PCB(s), identify the date, quantity, location and type of PCB(s), or PCB(s) containing materials or liquids, and the nature of any response to or cleanup of the release.

There are no documented releases of PCBs at the Property.

69. For any releases or threatened releases of PCB(s) and/or PCB(s) containing materials or liquids, identify and provide copies of any documents regarding the quantity and type of waste generated as a result of the release or threatened release, the disposition of the waste, provide any reports or records relating to the release or threatened release, the response or cleanup and any records relating to any enforcement proceeding relating to the release or threatened release.

There are no documented releases of PCBs at the Property.

Section 7.0 Property Investigations

70. Provide information and documentation concerning all inspections, evaluations, safety audits, correspondence and any other documents associated with the conditions, practices, and/or procedures at the Property concerning insurance issues or insurance coverage matters.

The Linnton Terminal falls below the criteria that KMLT uses to determine facilities to receive Company-wide formal inspections, evaluations, or safety audits. Thus, there are no such reports. However, the facility follows good operating practices and conducts routine equipment inspections in accordance with the Spill Prevention Control and Countermeasure Plan, which is included as an attachment to Question 19.

71. Describe the purpose for, the date of initiation and completion, and the results of any investigations of soil, water (ground or surface), sediment, geology, and hydrology or air quality on or about each Property. Provide copies of all data, reports, and other documents that were generated by you or a consultant, or a federal or state regulatory agency related to the investigations that are described.

A summary of documents and reports, including its respective date and purpose, is attached. Copies of the documents and reports are included in the response to Question 15.

72. Describe any remediation or response actions you or your agents or consultants have ever taken on each Property either voluntarily or as required by any state or federal agency. If not otherwise already provided under this Information Request, provide copies of all investigations, risk assessments or risk evaluations, feasibility studies, alternatives analysis, implementation plans, decision documents, monitoring plans, maintenance plans, completion reports, or other document concerning remediation or response actions taken on each Property.

KMLT has completed the Draft Remedial Investigation in accordance with the May 2000 Voluntary Agreement for Remedial Investigation and Source Control Measures. The Voluntary Agreement is included as an attachment. The Draft Remedial Investigation Report is included as an attachment to Question 15. Ongoing active remediation includes the IRAM described in response to Question 66.

Copies of responsive investigations, risk assessments or risk evaluations, feasibility studies, alternatives analysis, implementation plans, decision documents, monitoring plans, maintenance plans, completion reports, or other document concerning remediation or response actions are included as an attachment to Question 15.

73. Are you or your consultants planning to perform any investigations of the soil, water (ground or surface), geology, hydrology, and/or air quality on or about the Property? If so, identify:

    a. what the nature and scope of these investigations will be;

    b. the contractors or other persons that will undertake these investigations;

    c. the purpose of the investigations;

    d. the dates when such investigations will take place and be completed; and

    e. where on the Property such investigations will take place.

KMLT and its consultants plan to continue groundwater monitoring and active remediation activities at the site. Planned future investigation work includes the following.

- Complete the Storm Water Source Control Pathway in accordance with the DEQ and EPA Joint Source Control Strategy document, December 2005. The scope/purpose is to evaluate the storm water contribution, if any, from the Linnton Terminal to the sediment contamination in the Willamette River. Work is scheduled to be completed in 2008.

- Complete Remedial Investigation data gaps and finalize the RI. Work is scheduled to be completed in 2008.

Section 8.0 Corporate Information

74. Provide the following information, when applicable, about you and/or your business(es) that are associated with each Property identified in response to Question 4:

a. state the current legal ownership structure (e.g., corporation, sole proprietorship);

KMLT is a limited liability corporation.

b. state the names and current addresses of current and past owners of the business entity or, if a corporation, current and past officers and directors;

Officers of the company are listed in an attachment.

c. discuss all changes in the business' legal ownership structure, including any corporate successorship, since the inception of the business entity. For example, a business that starts as a sole proprietorship, but then incorporates after a few years, or a business that is subsequently acquired by and merged into a successor. Please include me dates and the names of all parties involved;

There have been no changes in ownership structure.

d. the names and addresses of all current or past business entities or subsidiaries in which you or your business has or had an interest that have had any operational or ownership connection with the Properties identified in response to Question 4. Briefly describe the business activities of each such identified business entities or subsidiaries; and

None.

e. if your business formerly owned or operated a Property identified in response to Question 4, describe any arrangements made with successor owners or operators regarding liability for environmental contamination or property damage.

Not Applicable.

75. List all names under which your company or business has ever operated and has ever been incorporated. For each name, provide the following information:

a. whether the company or business continues to exist, indicating the date and means by which it ceased operations (e.g., dissolution, bankruptcy, sale) if it is no longer in business;

b. names, addresses, and telephone numbers of all registered agents, officers, and operations management personnel; and

c. names, addresses, and telephone numbers of all subsidiaries, unincorporated divisions or operating units, affiliates, and parent corporations if any, of the Respondent.

KMLT has not operated under any other names.

76. Provide all copies of the Respondent's authority to do business in Oregon. Include all authorizations, withdrawals, suspensions and reinstatements.

Responsive documentation is attached.

77. If Respondent is, or was at any time, a subsidiary of, otherwise owned or controlled by, or otherwise affiliated with another corporation or entity, then describe the full nature of each such corporate relationship, including but not limited to:

a. a general statement of the nature of relationship, indicating whether or not the affiliated entity had, or exercised, any degree of control over the daily operations or decision-making of the Respondent's business operations at the Site;

b. the dates such relationship existed;

c. the percentage of ownership of Respondent that is held by such other entity(ies);

d. for each such affiliated entity provide the names and complete addresses of its parent, subsidiary, and otherwise affiliated entities, as well as the names and addresses of each such affiliated entity's officers, directors, partners, trustees, beneficiaries, and/or shareholders owning more than five percent of that affiliated entity's stock;

e. provide any and all insurance policies for such affiliated entity(ies) which may possibly cover the liabilities of the Respondent at each Property, and

f. provide any and all corporate financial information of such affiliated entities, including but not limited to total revenue or total sales, net income, depreciation, total assets and total current assets, total liabilities and total current liabilities, net working capital (or net current assets), and net worth.

KMLT is an indirect subsidiary of its ultimate corporate member, Kinder Morgan Energy Partners LP. This facility is covered by Kinder Morgan's corporate property and liability programs. Our property policies have replacement cost coverage ($500 Million limit any one occurrence) which includes coverage for business interruption and extra expenses. Our liability policies (also $500 Million limit any one occurrence) include coverage for pollution liability as well as many other liability perils. Responsive financial information is attached.

78. If Respondent is a partnership, please describe the partnership and provide a history of the partnership's existence. Provide a list of all current and past partners of any status (e.g., general, limited, etc.) and provide copies of all documents that created, govern, and otherwise rules the partnership, including any amendments

or modifications to any of the originals of such documents, and at least five years of partnership meeting minutes.

Not Applicable.

Section 9.0 Compliance With This Request

79. Describe all sources reviewed or consulted in responding to this request, including, but not limited to:

a. the name and current job title of all individuals consulted;

Nancy Van Burgel
Assistant General Counsel
370 Van Gordon Street
P. O. Box 281304
Lakewood, CO 80228-8304
303-914-4634 (bus); Nancy_VanBurgel@kindermorgan.com; 303-984-3333 (fax)

Robert Truedinger
Remediation Project Manager
1140 Canal Boulevard
Richmond, California 94804
510-412-8843 (bus); robert_truedinger@kindermorgan.com; 510-232-9317

Karina Haskins
EHS Special Lead
1100 Town and Country Road
Orange, CA 92868
(714) 560-4887 (bus); Karina_Hankins@kindermorgan.com; (714) 560-6672 (fax)

Robert Granado
Manager of Environmental Health & Safety
1100 Town and Country Road
Orange, CA 92868
(714) 560- 4873 (bus); GranadoR@kindermorgan.com; (714) 560-6544 (fax)

b. the location where all sources reviewed are currently reside

Documents reviewed to prepare this Response are located at the facility (11400 NW St. Helens Road, Portland, Oregon 97231), at KMLT Orange location (1100 Town and Country Road, Orange, CA 92868), and at Delta Consultants Portland location (4640 SW Macadam Avenue, Suite 110, Portland, Oregon 97239).

c. the date consulted.

January 2008 – present

80. If not already provided, identify and provide a last known address or phone number for all persons, including Respondent's current and former employees or agents, other than attorneys, who have knowledge or information about the generation, use, purchase, storage, disposal, placement, or other handling of hazardous materials at, or transportation of hazardous substances, waste, or materials to or from, each Property identified in response to Question 4.

Please see responses to Questions 37 and 79. Other persons who may or may not have responsive information are identified in the documents provided in the Response.

81. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. If the records were destroyed, provide us with the following:

a. the document retention policy between 1937 and the present;

b. the approximate date of destruction;

c. a description of the type of information that would have been contained in the documents;

d. the name, job title and most current address known by you of the person(s) who would have produced these documents; the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for destroying the documents; and the person(s) who had and/or still have the originals or copies of these documents; and

e. the names and most current addresses of any person(s) who may possess documents relevant to this inquiry.

KMLT's document retention policy is attached. KMLT has no information at this time to determine whether all of its employees have materially complied with its document retention policy. KMLT has no knowledge of the document retention policies or practices of prior site operators.

82. Provide a description of all records available to you that relate to all of the questions in this request, but which have not been included in your responses.

Responsive documents have been included as attachments to our responses.

DECLARATION

I declare under penalty of perjury that I am authorized to respond on behalf of KMLT and that the foregoing is, to the best of my current knowledge based on the information and documents assembled to date, complete, true, and correct.

Executed on May 14, 2008.

Signature

Nancy E. VanBergen

Name

Asst. General Counsel

Title